

SUPER LAW GROUP, LLC

July 18, 2025

The Honorable Jessica G. L. Clarke
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

RE: *Riverkeeper, Inc. v. Quality Bus Service, LLC, et al.*, No. 7:25-cv-1009-JGLC
Joint Status Letter

Dear Judge Clarke,

On behalf of our client, Plaintiff Riverkeeper, Inc. (“Riverkeeper”), and Defendants Quality Bus Service, LLC and National Express LLC (“Defendants”) in the above-referenced matter (collectively, “the Parties”), I write to update the Court on the Parties’ settlement efforts.

This is a citizen enforcement suit under the Clean Water Act, 33 U.S.C. § 1251 *et seq.*, alleging that Defendants are discharging stormwater associated with industrial activities from the facility named in Riverkeeper’s Complaint, without a permit. ECF 1.

On May 2, 2025, Defendants, with the consent of Riverkeeper, requested a sixty-day adjournment of the (i) deadline to submit a joint letter and a proposed Civil Case Management Plan and Scheduling Order; (ii) initial pretrial conference; and (iii) Defendants’ deadline to respond to the complaint. ECF 14. The Parties agreed to engage in settlement discussions during the sixty-day adjournment in an effort to fully resolve this matter without the need for responsive pleadings, motion practice, or formal discovery. *Id.* On May 6, 2025, the Court granted the Parties’ request, adjourned the initial pre-trial conference *sine die*, and ordered the Parties to file a joint letter updating the Court on their settlement efforts (or, in the alternative, to submit a case management plan and scheduling order), by July 18, 2025. ECF 16.

I am pleased to report that the Parties have been actively engaged in settlement efforts and are optimistic that settlement of this action is achievable. Specifically, since Defendants’ letter, ECF 14, the Parties have exchanged documents regarding Defendants’ environmental compliance activities and are in the process of scheduling a joint inspection of Defendants’ facility with the Parties’ environmental consultants.

The Parties have agreed to a pathway for achieving settlement and anticipate the process will take several more months to complete, as it involves technical assessments of Defendants’ Stormwater Pollution Prevention Plan (“SWPPP”) and of on-site conditions for Defendants’ facility, followed by entering into a proposed consent decree. Accordingly, the Parties propose and respectfully request to file a second joint letter updating the Court on their settlement efforts

in approximately two months (*i.e.*, by September 22, 2025¹), and to continue to adjourn all deadlines *sine die*. This is the Parties' first status report and second request for an adjournment.

Respectfully submitted,

/s/ Reed W. Super

Reed W. Super

Andie Altchiler

Attorneys for Plaintiff Riverkeeper, Inc.

cc (via ECF): All Counsel

Application GRANTED. All deadlines and proceedings in this case shall remain adjourned *sine die*. The parties shall submit, by **September 22, 2025**, a joint letter updating the Court on their settlement efforts or, in the alternative, submitting a proposed case management plan and scheduling order. The Clerk of Court is respectfully directed to terminate ECF No. 17.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: July 21, 2025

New York, New York

¹ This date aligns with a reporting date that the parties are requesting in a companion case, No. 7:24-cv-09676-JGLC, which the parties are seeking to settle simultaneously.